

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

HAROLD MONTAGUE,
Plaintiff,

v.

DANIEL COLLIER, et al.,
Defendants.

Case No.: 2:23-cv-00875-APG-NJK

ORDER

(Docket No. 4)

On June 20, 2023, this Court denied without prejudice pro se plaintiff Harold Montague's application to proceed *in forma pauperis* and gave him until August 21, 2023, to either pay the full \$402 filing fee or file a new fully complete application to proceed *in forma pauperis* with all three required documents. Docket No. 3. Plaintiff moves to extend that deadline, arguing that prison officials have not yet provided his required financial documents. Docket No. 4. The Court finds that good cause exists to extend the deadline for Plaintiff to either pay the full filing fee or file a new *in forma pauperis* application.

Accordingly, for the reasons stated above,

IT IS ORDERED that the motion for extension of time, Docket No. 4, is **GRANTED**.

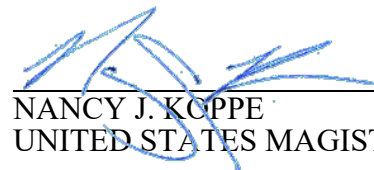
IT IS FURTHER ORDERED that, no later than **September 13, 2023**, Plaintiff must either pay the full \$402 filing fee or file a new fully complete application to proceed *in forma pauperis* with all three required documents: a completed application with the inmate's two signatures on page 3; a completed financial certificate that is signed both by the inmate and the prison or jail official; and a copy of the inmate's trust fund account statement for the previous six-month period.

IT IS FURTHER ORDERED that, if Plaintiff fails to timely comply with this order, this action will be subject to dismissal without prejudice. A dismissal without prejudice allows Plaintiff to refile the case with the Court, under a new case number, when Plaintiff can file a complete application to proceed *in forma pauperis* or pay the required filing fee.

1 The Clerk of the Court is **INSTRUCTED** to resend Plaintiff Harold Montague the
2 approved form application to proceed *in forma pauperis* for an inmate and instructions for the
3 same and retain the complaint and exhibits, Docket No. 1-1, but not file them at this time.

4 IT IS SO ORDERED.

5 DATED: August 14, 2023.

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9 NANCY J. KOPPE
10 UNITED STATES MAGISTRATE JUDGE
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